

**DECLARATION AND POWER OF ATTORNEY- USA PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled HUMAN DEFENSIN DEF-X, GENE AND DNAC, COMPOSITION CONTAINING SAME AND DIAGNOSTIC AND THERAPEUTIC APPLICATIONS; the specification of which was filed as International Application PCT/FR98/01864, filed on August 28, 1998; the U.S. National Phase of this application is being filed herewith.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**PRIOR FOREIGN APPLICATION(S)**

Priority  
Claimed

No.: 97/10823

Country: FRANCE

Date Filed: August 29, 1997

Yes

**POWER OF ATTORNEY:** I hereby appoint the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, Customer No. 20,995.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

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Attorney's Do. No. GENSET.073APC

Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **LYDIE BOUGUELERET**

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

Residence: 108, avenue Victor Hugo, 92170 Vanves, France

Citizenship: French

Full name of second inventor: **ILYA CHUMAKOV**

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

Residence: 196, rue des Chevrefoilles, F-77000 Vaux-le-Penil

Citizenship: French

Send Correspondence To:

**KNOBBE, MARTENS, OLSON & BEAR, LLP**

**Customer No. 20,995**

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Jessica H. Roark  
Art Unit : 1644  
Applicant(s) : Lydie Bougueleret, et al.  
Serial No. : 09/486,580  
Filed : February 25, 2000  
For : **HUMAN DEFENSIN DEF-X, GENE AND DNAC, COMPOSITION  
CONTAINING SAME AND DIAGNOSTIC AND THERAPEUTIC  
APPLICATIONS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

REVOCATION OF POWER OF ATTORNEY AND  
NEW POWER OF ATTORNEY

Sir:

Genset is the assignee of record of an application for letters patent, filed on February 25, 2000, as Serial No. 09/486,580, for an invention entitled *HUMAN DEFENSIN DEF-X, GENE AND DNAC, COMPOSITION CONTAINING SAME AND DIAGNOSTIC AND THERAPEUTIC APPLICATIONS* by virtue of an assignment dated January 27, 2000 by assignors Lydie Bougueleret, and Ilya Chumakov, enclosed herewith.

Genset, having a place of business at 24,rue Royale 75008 Paris, France, certifies that it is the owner of the entire right, title and interest in, to, and under the above-identified application. On or about the 7<sup>th</sup> day of February, 2000, Genset appointed the registrants of the firm Knobbe, Martens, Olson & Bear, LLP, 620 Newport center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, Customer No. 20,995, as its attorney(s) to prosecute said application.

Genset hereby revokes the Power of Attorney then given, and it hereby appoints the following persons registered to practice before the Patent and Trademark Office as my attorneys and agents with full power of substitution and revocation to prosecute this application and all divisions and continuations thereof and to transact all business in the Patent and Trademark Office connected

therewith: John M Lucas, Reg No. 43,373, Peter Follett, Reg No. 46,213, Lukas R. Voellmy Reg. No. 43,358 of Genset Corp (J.M.L.) and Genset (L.R.V., P.F.), and David R. Saliwanchik, Reg. No. 31,794; Jeff Lloyd, Reg. No. 35,589; Doran R. Pace, Reg. No. 38,261; Christine Q. McLeod, Reg. No. 36,213; Jay M. Sanders, Reg. No. 39,355; James S. Parker, Reg. No. 40,119; Frank C. Eisenschenk, Reg. No. 45,332; Jean Kyle, Reg. No. 36,987; Seth M. Blum, Reg. No. 45,489; and Glenn P. Ladwig, Reg. No. 46,853, of the firm Saliwanchik, Lloyd & Saliwanchik, A Professional Association.

Genset requests that all correspondence be sent to:

Frank C. Eisenschenk, Ph.D.  
Saliwanchik, Lloyd & Saliwanchik  
2421 N.W. 41st Street, Suite A-1  
Gainesville, FL 32606-6669

Genset requests that all telephone communications be directed to:

Frank C. Eisenschenk, Ph.D.  
(352) 375-8100

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ASSIGNMENT

WHEREAS, We, LYDIE BOUGUELERET, a French citizen, residing at 108, avenue Victor Hugo, 92170 Vanves, France and ILYA CHUMAKOV, a French citizen, residing at 196, rue des Chevrefeuilles, F-77000 Vaux-le-Penil, France have invented certain new and useful improvements in a HUMAN DEFENSIN DEF-X, GENE AND DNAC, COMPOSITION CONTAINING SAME AND DIAGNOSTIC AND THERAPEUTIC APPLICATIONS for which we are filing the attached application for Letters Patent in the United States;

AND WHEREAS, GENSET (hereinafter "ASSIGNEE"), a French Corporation, with its principal place of business at 24, rue Royale, 75008 Paris, France, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) each to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

Signed on this 27 day of Jan., 2000.

  
LYDIE BOUGUELERET

Attested by:

Signed on this 27 day of January, 2000.

  
\_\_\_\_\_  
ILYA CHUMAKOV

Attested by:

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